

# Official Minutes for Webb County Commissioners Court Meeting

Tuesday, March 29, 2005 at 1:00 PM and  
continuing Wednesday, March 30, 2005 at 1:00 PM

All Items were taken on March 29, 2005  
(Approved Monday, April 25, 2005)

- Item No. 1      Call to order by Judge Louis H. Bruni  
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cynthia Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 24<sup>th</sup> of March 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2      Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3      Pledge of Allegiance – Led by all

Cmr. Gutierrez motioned to move up Item No. 47. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 47      Proclamation for "April as Head Start Month in Webb County"  
presented by the Head Start Director.

Ms. Aliza Oliveros, Head Start Director, was present to address the court. She stated that the proclamation kicks off month long activities planned to highlight the program and its students. She stated that the success of the program can be credited to the entire staff. She stated that the five children chosen to represent the program were chosen based on the parents' participation in the Policy Council. She thanked the court for their continued assistance and support.

Ms. Maria Perez, Head Start parent, who was present to address the court. Ms. Perez stated that the Head Start program was a wonderful program and thanked the court for their continued support of the program.

Cmr. Gutierrez motioned to move up Item No. 13. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 13      Presentation by Kecia Batsell of the American Heart Association on Go Red for Women Campaign.

Ms. Kecia Batsell, American Heart Association, was present to address the court. She stated that the Association's mission was to reduce the number of deaths and disabilities caused by heart disease. She stated that they are specifically targeting women since heart disease is the number one killer of women. She stated that 1 in 2.4 women will die from heart disease. She urged everyone to wear red on Friday, April 8<sup>th</sup> to show their support of the American Heart Association. She invited everyone to attend the Heart Healthy Luncheon on April 22<sup>nd</sup> at 11:30 at the Laredo Medical Center.

Cmr. Gutierrez thanked the association for promoting this very important cause. She stated that it was very important to get everyone involved and stated that the brochure presented included the ordering information for the Red Dress pin for their "The dress is to die for, the cause is to live for" campaign.

Item No. 4      Approval of minutes

Cmr. Gutierrez motioned to accept the items as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 5      Approval of bills, payroll and monthly reports

Mr. Louie Saucedo, Treasurer's Department, was present to address the court on behalf of Ms. Delia Perales, County Treasurer, who was unable to attend. He stated that if the court had any additional questions or concerns, they could contact his office.

Cmr. Gutierrez motioned to accept the Treasurer's Report. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6      Communications

Cmr. Gutierrez stated that since Holy Week had just passed, that this was a time of reflection. She stated that the court needed to concentrate on what was important to the county and its residents and reflect on the decisions that they make.

Cmr. Garza stated that he was in Austin the previous week to hear proposed legislature during Rail District Week. He stated that it was very informative meeting and that the project has received a lot of support at the state level.

Cmr. Cortez-Brunner advised the public that there would be a Rock-A-Thon fundraiser to benefit juvenile diabetes on April 2<sup>nd</sup> at TAMIU. She invited the public to attend and support this worthwhile cause.

Judge Bruni congratulated 49<sup>th</sup> District Judge Manuel E. Flores who would be receiving an award at the Country Club later this week.

## Item No. 7      Public Comment

Mr. Tom Sanchez, Sheriff's Department, was present to introduce the new Public Information Officer, Ms. Jennifer Gonzalez. He stated that Ms. Gonzalez is the 2005 Ms. Laredo and graduated with a degree in communications from UTSA. He stated that she would be an asset to the Sheriff's Department.

Ms. Jennifer Gonzalez, Public Information Officer, was present to address the court. She stated that she looked forward to working with the court. She stated that Sheriff Flores is currently raising monies for the "Kiss a Pig" campaign benefiting the American Diabetes Association.

Mr. Anthony Peterson was present to address the court regarding Item No. 12. He stated that this was a worthwhile project and would help better the lives of the area residents.

Ms. Pat Campos was present to address the court regarding Item No. 12. She requested that Mrs. Sylvia Palumbo address the court first since she was president of the CAA Advisory Board.

Mrs. Sylvia Palumbo was present to address the court regarding Item No. 12. She thanked the court for their support in this matter. She stated that under Item No. 26 of the meeting of February 28, Ms. Cynthia Mares, Community Action Agency Director, was not given an opportunity to give a status report. She stated that the CAA Advisory Board serves as the eyes and ears of the court on items regarding the Community Action Agency and its various programs. She stated that Ms. Mares and her staff should be commended for their hard work.

Ms. Pat Campos was present to address the court regarding Item No. 12. She stated that she is the Vice-President of the CAA Advisory Board. She stated that she appreciates the court's concerns regarding this center but stated that it was beyond repair. She stated that the Azteca Center has long been an issue and that Ms. Mares' pleas for assistance had fallen on deaf ears.

Mr. Gamboa, Ms. Laurel and Mr. Eschica had also signed up for Public Comments but stated that they would give their time to Ms. Campos.

Mr. Muñoz stated that he came before the court for the same problems. He stated that the court has approved road repairs but that nothing has been done.

## Item No. 8      Discussion and possible action to appoint a committee member to serve on the City of Laredo-Webb County Joint Airport Zoning Board.

Mr. Flores, City of Laredo, was present to address the court. He stated that this board was established in 1953 but last met in 1980. He stated that there have been some issues that need to be addressed. He stated that this committee was composed of two County representatives, two City representatives and one chairperson appointed by the four members.

Cmr. Gutierrez motioned to appoint Cmr. Sciaraffa. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 9      Discussion and possible action to approve a Resolution opposing President George W. Bush's proposed budget eliminating Community Development Block Grants from the Fiscal Year 2006 Federal Budget.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 10      Status report on acquisition and quality of Caliche Base Material for the maintenance of public roads in Webb County with discussion and possible action to direct the Webb County Road and Bridge Superintendent to obtain Caliche Base Material of a quality suitable to the construction and maintenance of public roads.

Judge Bruni stated that he had placed this item on the agenda because he had some concerns with this item. He stated that this could be addressed with Item No. 11.

- Item No. 11      Status report on the acquisition of flexible base material at \$6.50/cu yd for caliche delivered on site (by others) for county improvements at colonias as per Road and Bridge Department's "Exhibit (sic) A and B" as furnished to the court at its regularly scheduled meeting on March 14, 2005, with discussion and possible action to make changes to the plan of flexible base material acquisition as necessary to its success, and any other matters incident thereto.

Judge Bruni stated that he placed this item on the agenda due to a misunderstanding as to the action taken at the previous meeting. He stated that the court had approved the delivery of flexible base material by others, not to be picked up by the Road and Bridge Department. Mr. Jose Luis Rodriguez, Road and Bridge Superintendent, stated that he had been speaking with Gallegos and Agave about the possibility of having additional caliche pits. He stated that they would stay within the budget but would be less work. Mr. Eloy Ramirez, Purchasing Agent, stated that he had received a quote from Agave for hauling on 20 yard dump trucks at a rate of \$5-6 per yard from either yard. Cmr. Gutierrez stated that one issue would be the possibility of having a private company work on this project. She also stated the

possibility of being able to lease equipment when the County's equipment is out of order.

Cmr. Sciaraffa motioned to approve item as submitted and to include Mr. Raul Casso and Mr. Carlos Villarreal in these discussions. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12      Discussion and possible action authorizing Change Order No. 1 to Zertuche Construction, not to exceed \$15,439.00, for the repairs to the Azteca Community Center Building located at 14 Iturbide.

Cmr. Cortez-Brunner motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Carlos Villarreal, Executive Administrator, stated that he has visited the center and presented the following to the court:

1. The court look for another location but that bond monies cannot be used for the lease or rent on the property.
2. It would take approximately \$40,000 to rent another location.
3. He stated that Ms. Mares had looked at possible locations but that the local residents stated that they wanted to stay in the same place.

He stated that he was confident in his recommendations to make the renovations. Cmr. Gutierrez stated that her concern was the possibility of asbestos and the effect that they would have on the elderly residents who spend time at the center. Mr. Villarreal stated that though improper, the asbestos issue has been addressed. He stated that he has spoken with Mr. Tomas Rodriguez, County Engineer, and feels that this is the proper recommendation.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-1 with Cmr. Gutierrez voting against.

Item No. 14      Report from the County Engineer on the status of ROW Acquisition and roads on Colonias located on Hwy 359, and FM 1472 (Mines Road) and FM 3338 (Las Tiendas Rd)

Mr. Tomas Rodriguez, County Engineer, stated that he has been working with Mr. Frank Saldana, on this matter. He stated that the Old Milwaukee Plan has been submitted to the City Planning Board since they are requiring some waivers. Cmr. Gutierrez stated that she has received some concerns from colonia residents regarding the water and sewer lines. She stated that the ROW acquisitions determine where these lines will be placed.

Item No. 15      Report from Turner Collie & Braden or the County Engineer on the status of the Water and Sewer Improvements Project on Colonias

located on Hwy 359, and FM 1472 (Mines Road) and FM 3338 (Las Tiendas Rd.

Mr. Tomas Rodriguez, County Engineer, stated that Mr. Kendal was unable to attend today's meeting. Cmr. Gutierrez advised Mr. Rodriguez to advise them of the next meeting so that he can attend and try to get the project moving.

- Item No. 16      Consideration and adoption of an order authorizing the issuance of "Webb County, Texas Limited Tax Refunding Bond, Series 2005," and making provisions for the security thereof; authorizing a purchase contract; and approving other matters relating thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Robert Tijerina and Mr. Scott Hinojosa, Bond Counsel, were present to address the court. They stated that by approving this item, the court would save approximately \$380,000. They also stated that the county's rating with Moody had been upgraded from A3 to A2.

#### BREAK (3:01 PM to 3:36 PM)

Cmr. Gutierrez motioned to move up Item No. 25, No. 49, No. 50, No. 51, No. 58, No. 59, No. 60 and No. 61. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 25      Discussion and possible action to enter into a contract amendment with Arturo G. Garza- Gongora, M.D. wherein Dr. Garza-Gongora will provide additional medical services, which include but not limited, to screening for tuberculosis as well as being designated chief medical director of all medical services provided at the Webb County Law Enforcement Center at a monthly cost of THIRTEEN THOUSAND NINE HUNDRED AND ONE DOLLARS AND FIFTY CENTS (\$13,901.51), and authorizing the County Judge to sign all relevant documents.  
[Requested by the Webb County Sheriff; Account No. 001-2062-6022 (Professional Services)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 49      Discussion and possible action to authorize the Purchasing Agent to purchase the following vehicles from Philpott Motors through the

Houston Galveston Area Council state contract Bid VE10-03 for the Sheriff's department:

11	Patrol Vehicles	\$344,807.65
1	Slick Top Vehicle	\$ 23,935.15
2	Prisoner Vans	\$ 51,484.50
1	Cargo Van	\$ 22,411.00
1	F150 Ford 4x4 Super Crew	\$ 30,313.35
1	F150 Ford 4x4 Super Crew	\$ 35,407.25
	GRAND TOTAL:	\$508,358.90

Cmdr. Sciaraffa motioned to approve item as submitted. Cmdr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 50      Discussion and possible action to authorize the Purchasing Agent to purchase the following vehicles from Philpott Motors through the Houston Galveston Area Council state contract Bid VE10-03 for the Sheriff's department:

2	F150 Ford 4x4 Super Crew	\$ 65,592.50
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Cmdr. Sciaraffa motioned to approve item as submitted. Cmdr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 51      Discussion and possible action to authorize the Purchasing Agent to issue a purchase order contract for 34 shotguns from Border Sporting Goods in the amount of \$9,552.30 for the Sheriff's department.

Cmdr. Sciaraffa motioned to approve item as submitted. Cmdr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 58      Discussion and possible action to approve the submission of a grant application to the Bureau of Justice Assistance Office of Justice Programs U.S. Department of Justice for the Edward Byrne Memorial Justice Assistance Grant (JAG) for one (1) correctional officer position and computer equipment in the amount of \$62,372. This grant requires no match, and thus, is at no cost to the county.

Cmdr. Sciaraffa motioned to approve item as submitted. Cmdr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 59      Discussion and possible action to approve the submission of a grant application to the Bureau of Justice Assistance Office of Justice Program U.S. Department of Justice for the FY 2005 State Criminal Alien Assistance Program (SCAAP) to reimburse the Webb County jail for incurred correctional officer salary costs associated with incarcerated undocumented criminal aliens during the reporting period of July 1, 2003 through June 30, 2004. This grant requires no match, and thus, is at no cost to the county.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 60      Discussion and possible action to approve the following changes for personnel of the Webb County Sheriff's Department effective March 28, 2005. The salary increases are equal to the salary decreases and the amount of personnel costs budgeted for fiscal year 2004-2005 remain unchanged.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 61      Discussion and possible action to approve a line item transfer for the amount \$ 31,632.00 from account no. 001-2061-5001 (Payroll) to account no. 001-2060-5005 (Temporary Part time).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17      Discussion and possible action to submit application to City of Laredo for the third party funding for the Elderly Nutrition Program, in the amount of \$30,000.00, for FY - 2005-2006.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 18      Discussion and possible action to submit application to City of Laredo for third party funding for the Meal On Wheels Program, in the amount of \$30,000.00, FY- 2005-2006.



Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 19      Discussion and Possible Action to approve the appointment of a Civic/Social Organization for "Category C" for the Community Action Agency Advisory Board to fill current vacancy. The Laredo Center for the Arts is being recommended for approval by the Community Action Agency (CAA) Advisory Board.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20      Discussion and Possible Action on the approval to grant the County Auditor, authority to expend funds from the Weatherization Program, effective April 1, 2005, pending the receipt of all required grant documents and allocation.

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21      Discussion and possible action to approve the following line item transfer:

From:	Telephone	# 001-2501-6004	\$ 1,400.00
To:	Uniform	# 001-2501-6202	\$ 1,400.00

Mr. Leo Flores, County Auditor, stated that the telephone expenses had not been charged to this account and was not sure if these monies were still available.

Cmr. Sciaraffa motioned to table this item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22      Discussion and possible action to adopt changes to the bylaws governing the Community Action Agency Advisory Board. The two changes now provide that Category "B" Advisory Board Members will consist of ten (10) to twelve (12) elected members, and that no action will be taken by the advisory board while meeting is in closed session, and authorizing the County Judge to sign all relevant documents. [Requested by Community Action Agency]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 23      Discussion and possible action to enter into an interlocal agreement with the City of Laredo to accept funding in the amount of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) for the Webb County Community Action Agency's Elderly Nutrition Program for Fiscal Year 2004-2005 (October 1, 2004 – September 30, 2005) to provide meals to approximately 1,500 individuals within the City of Laredo and authorizing the County Judge to execute any and all relevant documents. [Requested by Community Action Agency, Account No. 001-0112-7200-07 (Elderly Nutrition Fund 955)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 24      Discussion and possible action to enter into an interlocal agreement with the City of Laredo to accept funding in the amount of SEVEN THOUSAND ONE HUNDRED AND TWENTY-FIVE DOLLARS (\$7,125.00) for the Webb County Community Action Meals on Wheels Program for Fiscal Year 2004-2005 (October 1, 2004 – September 30, 2005) to provide meals to approximately 200 eligible individuals within the City of Laredo and authorizing the County Judge to execute any and all relevant documents. [Requested by Community Action Agency, Account No. 001-0112-7200-04 (Meals on Wheels Fund 952)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 26      Discussion and possible action to enter into a one (1) year (March 28, 2005 through March 27, 2006) subscriber agreement with Autophone of Laredo to provide Nextel Communication Services for one (1) Nextel phone/walkie-talkie radio. The one-time cost of the Nextel radios is NINETY-NINE CENTS (\$0.99) with a total monthly communication air-time service fee for the radio of FORTY-FIVE DOLLARS AND NINETY-FIVE CENTS (\$45.95) for a total cost of FIVE HUNDRED AND FIFTY-ONE DOLLARS AND FORTY CENTS (\$551.40) over the term of the agreement, and authorizing the county judge to execute all relevant documents. [Requested by Rio Bravo Community Center, Account No. 001-0109-6004 (Telephone)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27      Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia of Peñitas in the amount of FOUR MILLION EIGHT HUNDRED FIFTY ONE THOUSAND FIVE HUNDRED FIFTY ONE DOLLARS (\$4,851,551.00) for paving and drainage improvements, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, stated that he correct amount should be \$1,127,320 not \$4,851,551. Mr. Tomas Rodriguez, County Engineer, stated that the request had been for \$4.5 million but only received \$1.1 million.

Cmr. Gutierrez motioned to approve item with corrections stated. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 28      Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia in D-5 Acres in the amount of TWO HUNDRED NINETY TWO THOUSAND ONE HUNDRED FIFTY EIGHT DOLLARS (\$292,158.00) for paving and drainage improvements and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29      Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia in Los Altos in the amount of SEVEN HUNDRED EIGHTY-EIGHT THOUSAND TWO

HUNDRED FIFTY NINE DOLLARS (\$788,259.00) for paving and drainage improvements, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 30      Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia in Ranchitos 359 East in the amount of FOUR HUNDRED SIXTY THREE THOUSAND FOUR HUNDRED SEVENTY-NINE DOLLARS (\$463,479.00) for paving and drainage improvements and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 31      Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia of San Carlos #1 and #2 in the amount of ONE MILLION SEVEN HUNDRED FIFTY ONE THOUSAND ONE HUNDRED THIRTY-SIX DOLLARS (\$1,751,136.00) for paving and drainage improvements, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32      Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia in Tanquecitos South Acres # 1 and #2 in the amount of ONE MILLION FOUR HUNDRED FIFTY FIVE THOUSAND FOUR HUNDRED THIRTY NINE DOLLARS (\$1,455,439.00) for paving and drainage improvements and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33      Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia in Old Milwaukee East and West in the amount of FOUR HUNDRED EIGHTY ONE THOUSAND FOUR HUNDRED FORTY ONE DOLLARS (\$481,441.00) for paving and drainage improvements and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 34      Discussion and possible action to enter into an amendment number 2 to the "Local Transportation Project Advance Funding Agreement for A Statewide Connectivity Corridor Project" with the State of Texas, Texas Department of Transportation (Quatro Vientos Road) by reducing the proposed Seven Lane Urban Section to a Five Lane Urban Section and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 35      Discussion and possible action to enter into a one (1) year (April 7, 2005 through April 6, 2006) Contract for Grant 5311 RPT 0504 (22) 28 (51522F7136) with the State of Texas, Texas Department of Transportation, for the "El Aguila" Rural Transportation Department, and authorizing the County Judge to execute all relevant documents.. The State is awarding Webb County TWO HUNDRED AND TWENTY-ONE THOUSAND AND THREE HUNDRED AND THIRTEEN DOLLARS (\$221,313.00) under the Grant agreement. [Requested by the CAA/ El Aguila Rural Transportation Department, Account No. 980-4204 (Administration) and 980-4205 (Operations)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36 Discussion and possible action to authorize the Webb County Juvenile Department to submit to the State of Texas, Office of the Governor Criminal Justice Division a grant application for a Juvenile Accountability Block Grant (JABG) in the amount of FIFTEEN THOUSAND SEVEN HUNDRED SIXTY TWO DOLLARS (\$15,762.00) and approving matching funds of ONE THOUSAND SEVEN HUNDRED FIFTY ONE DOLLARS (\$1,751.00) and County Judge to sign all relevant documents. [Requested by Juvenile Department]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action to enter into a one year consulting services agreement (April 1, 2005 through March 31, 2006) with Robert W. Lazarus and Associates Inc. and RWL Benefits, Inc. d/b/a RWL GROUP for Property and Casualty and Employee Benefits Consulting Services at a total cost of THIRTY-SIX THOUSAND DOLLARS (\$36,000.00) being \$3,000 per month and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action to approve the following line item transfer:

From:	Professional Services	001-1100-6022	\$2000.00
To:	Books & Subscriptions	001-1100-6010	\$2000.00
From:	Equipment Rental	001-1100-6014	\$1000.00
To:	Fuel & Lubricants	001-1100-6204	\$1000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and possible action to proclaim April 2005 as Fair Housing Month and April 11-15, 2005 as Fair Housing Week and designating the Webb County Community Action Agency responsible for monitoring Fair Housing in Webb County.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40      Discussion and possible action to approve the surveying and fencing of 37 acres in Colonia La Presa, County property off of Mangana Hein Road utilizing account # 695-6004-8710-3 (Park Development) in the amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) and to authorize the Purchasing Agent to solicit proposals for the surveying.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza stated that this project was located in Pct. 1 but that he had allocated some monies from Pct. 3 for this project.

- Item No. 41      Discussion and possible action to engage the Law Offices of Rolando L. Rios regarding the realignment, pursuant to Texas Election Code Section 42.031, of current county election precincts 345 and 446 in order to bring these election precincts into compliance with state law, Texas Election Code Section 42.006, and any other matters incident thereto.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion with discussion.

Mr. Oscar Villarreal, Interim Elections Administrator, stated that the election code allows for a maximum of 4,000 voters in a voting precinct. He stated the precincts needed to be realigned in order to be in compliance. He stated that there are only two precincts that are affected at this time and doesn't see any other precinct that would be affected. He stated that the voting precincts will be split and two additional voting precincts will be created. He stated that the cost would not exceed \$3,000 and the monies are available in his budget though he may need to make some line item transfers. Cmr. Gutierrez stated that her concern was in confusing the voters as well as the concern about additional precincts close to meeting the limit.

Cmr. Sciaraffa motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to bring back Item No. 40 for additional comments. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40      Discussion and possible action to approve the surveying and fencing of 37 acres in Colonia La Presa, County property off of Mangana Hein Road utilizing account # 695-6004-8710-3 (Park Development) in the amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) and to authorize the Purchasing Agent to solicit proposals for the surveying.

Cmr. Sciaraffa thanked Cmr. Garza for his assistance since he did not have any funds in his park development account when he came into office.

- Item No. 42      Discussion and Possible Action Authorizing Change Order No. 4 to Ramos Industries, Inc. increasing the Contract price of \$1,383,723.00 by \$8,150.00 to a total of \$1,391,873.00 and adding 90 days to the completion time for the TWDB-EDAP Waste Water Collection System project on the north side of El Cenizo.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion with discussion.

Mr. Tomas Rodriguez, County Engineer, stated that this project may be completed before the additional 90 days requested but felt that it would be better to request an additional 90 days and finish early than request less days and then have to come before the court for additional days. He stated that this project was held back by Hernandez for almost 42 days.

Motion carried 5-0 by unanimous consent.

- Item No. 43      Discussion and Possible Action Authorizing Change Order No. 4 to Ramos Industries, Inc. increasing the Contract price of \$4,386,286.52 by \$2,379.61 to a total of \$4,388,666.13 and adding 60 days to the completion time for the TWDB-EDAP 1.5 million gallons per day Regional Waste Water Treatment Plant project.

Mr. Tomas Rodriguez, County Engineer, stated that this was under the same contract as Item No. 42.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44      Discussion and Possible Action Authorizing Change Order No. 3 to Satterfield & Pontikes Construction, Inc., increasing the contract price by \$52,884.18 for Electrical work, one trailer mounted diesel pump, installation of hand rails and headwall for drain pipe and a temporary raw water pipeline. The contract will increase from \$11,347,572.80 to \$11,400,456.98. This action is subject to Texas Water Development



Boards' approval. Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Mr. Tomas Rodriguez, County Engineer, stated that Executive Session was requested for this item.

- Item No. 45      Discussion and Possible Action Authorizing the Purchasing Agent, Director of Facilities and the County Engineer to repair the existing mechanical, electrical, and pneumatic control equipment to the entire heating and air condition system of the old Tex-Mex Building at a cost not to exceed \$30,000.00.

Mr. Tomas Rodriguez, County Engineer, stated that this item was to replace the Old A/C system. He stated that the lowest quote received was for \$47,000. He stated that the work would be done by the Facilities Department in order to lower costs.

Cmr. Garza motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 46.      Discussion and possible action to fill custodial slot #038 at \$8.42 per hour and charge to account #001-0106-5001 payroll.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 48      Discussion and Possible Action to approve line item transfer as follows:
- |       |               |                        |           |
|-------|---------------|------------------------|-----------|
| From: | 001-4101-6014 | Equipment Rental       | \$ 90.00  |
|       | 001-4101-6010 | Books & Subscription   | \$110.00  |
| To:   | 001-4101-6403 | Repairs/Maint. Vehicle | \$ 200.00 |

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 52      Discussion and possible action to authorize the Purchasing Agent to purchase Scanning Equipment from Southern Computers in the amount of \$15,308.37 for the District Clerk's Office.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 53      Discussion and possible action to authorize the Purchasing Agent to purchase a refrigerant reclaim system from Thermo King of Houston in the amount of \$5,108.00 for Building Maintenance, Raul Elizondo - Facilities Director.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 54      Discussion and possible action for the Purchasing Agent to obtain the services of GMS Gutierrez Machine Shop to repair one Case backhoe Unit 1304 in the amount of \$5,950.00 for the Water Utilities Department.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 55      Discussion and possible action to authorize the Purchasing Agent to obtain cellular services for John Ornes, Network Administrator with 500 minutes for the M.I.S. Department.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion with discussion.

Mr. Eloy Ramirez, Purchasing Agent, stated that the court authorized who can receive a cell phone. He stated that the request was made by Mr. Guillermo Garcia, M.I.S. Director since Mr. Ornes is constantly out in the field and he needs to be able to contact him. He stated that it was up to the court to decide if he can be allotted a phone and how many minutes to allot him.

Cmr. Garza amended his second to have some parameters for the issuance of cell phones.

Judge Bruni stated that only 300 minutes should be allotted.

Cmr. Gutierrez withdrew her motion. Motion died due to lack of a second.

Cmr. Garza motioned to approve item as submitted and allot 300 minutes. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Eloy Ramirez, Purchasing Agent, stated that the cell phone policy in place states that the employee will be responsible for the phone and any applicable charges if they go over the minutes that they were allotted.

- Item No. 56      Discussion and possible action to authorize the Purchasing Agent to issue a purchase order contract to Holt Machinery in the amount of \$19,913.98 to repair one (1) Caterpillar D6H, Road and Bridge Department.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 57      Discussion and possible action for the Commissioners Court to award/reject the following bids for the CAA-Weatherization Program and CEAP program to the following vendors:

Bid No. 2005-49 Weatherization Contractors for Labor & Materials

Primary- Juan Rodriguez

Secondary-AA Builders

Bid No. 2005-50 Weatherization Contractors for Attic & Wall Insulation

Primary-Border Insulation

Bid No. 2005-51 Window A/C Units, Space Heaters & Refrigerators

Primary-Juan Rodriguez

Bid No. 2005-52 Water Heaters

Primary-AA Builders

Secondary-City Plumbing

Bid No. 2005-53 Central Heating/Cooling Units (HVAC)

Primary-AA Builder

Cmr. Gutierrez motioned to table this item. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 62      Discussion and possible action to approve request from the Tax Assessor Collector's Office, Dept 0700, to charge a 55 commission based on motor vehicle sale price as permitted by law, to buyers of vehicles purchased out of state and who paid taxes to a state other than Texas.

Mr. Homero Ramirez, County Attorney, requested that this item be tabled.

Cmr. Gutierrez motioned to table this item. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to move into Executive Session. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (4:24 PM to 5:20 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

- Item No. 44      Discussion and Possible Action Authorizing Change Order No. 3 to Satterfield & Pontikes Construction, Inc., increasing the contract price by \$52,884.18 for Electrical work, one trailer mounted diesel pump, installation of hand rails and headwall for drain pipe and a temporary raw water pipeline. The contract will increase from \$11,347,572.80 to \$11,400,456.98. This action is subject to Texas Water Development Boards' approval. Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Mr. Homero Ramirez, County Attorney, recommended that the contract be approved.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 63      Discussion and possible action concerning licensing agreement between Webb County and Laredo International Fair & Exposition, and concerning purported lease agreement between Laredo International Fair & Exposition and Gilbert Texas Construction, L.P. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, stated that this was a status report. He recommended that he be allowed to engage in settlement discussions on this matter.

Cmr. Gutierrez motioned to allow the County Attorney to engage in settlement discussions on this matter as per discussions in Executive Session. Cmr. Sciaraffa second

Mr. Raul Casso, Chief of Staff, requested that he be included in these discussions.

Cmr. Gutierrez motioned to include Mr. Casso in these discussions. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 64      Adjournment

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.